

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
11020 Sun Center Drive #200, Rancho Cordova, CA 95670

**PUBLIC HEARING**  
concerning

**TENTATIVE CEASE AND DESIST ORDER AMENDMENT**

**For**

**CITY OF LIVE OAK  
WASTEWATER TREATMENT PLANT  
SUTTER COUNTY**

The City of Live Oak (Discharger) owns and operates a collection system and wastewater treatment plant that provides sewage service to the community of Live Oak consisting of approximately 8,000 people. Disinfected secondary effluent is currently discharged to Reclamation District 777 Lateral Drain No. 1, which is tributary to Main Canal and the Sutter Bypass. On 5 February 2009, the Regional Water Quality Control Board (Regional Water Board) adopted a Cease and Desist Order (CDO) that provides a time schedule for the Discharger to consider wastewater regionalization to the City of Yuba City wastewater treatment facility. The new adopted CDO grants a time schedule and provides for exemption from mandatory minimum penalties for copper, cyanide, biochemical oxygen demand (BOD), total suspended solids, coliform and diazinon; however, the CDO does not provide interim limitations for these constituents as required by the California Water Code for monetary penalty exemption. The proposed amendment adds performance-based interim limitations to the adopted CDO, as necessary for the Regional Water Board to exempt the Discharger from monetary penalties.

A public hearing concerning this tentative Cease and Desist Order will be held during the Regional Water Board meeting scheduled for:

DATE: 23/24 April 2009  
TIME: 8:30 a.m.  
PLACE: Central Valley Regional Water Quality Control Board Room  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Regional Water Board Staff, and
- City of Live Oak Representatives

Only designated parties will have the following rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Regional Water Board no later than **23 March 2009**. The request must explain the basis for

status as a designated party and, in particular, how the person is directly affected by the discharge.

The tentative CDO Amendment was issued on 5 February 2009. Persons wishing to comment on the limited scope of the proposed amendment, as shown in underline/strike-out text on the tentative document, shall submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than 5:00 p.m. on **9 March 2009**. Written evidence or comments submitted after 5:00 p.m. on **9 March 2009**, or outside the scope of the proposed amendment, will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party. All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions regarding the tentative Cease and Desist Order Amendment should contact Ms. Diana Messina at (916) 464-4828 or [dcmessina@waterboards.ca.gov](mailto:dcmessina@waterboards.ca.gov). Interested parties may download the proposed item and related documents from the Regional Water Board's Internet website at [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents may also be obtained by contacting or visiting the Regional Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114, weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing [http://www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/). Information on meeting and hearing procedures is also available on the Regional Water Board's website at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Regional Water Board's offices. Questions regarding such procedures should be directed to Mr. Josh Palmer at (916) 464-4674.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Mr. Josh Palmer at (916) 464-4674 at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who may be interested in this matter.

*Original Signed By*

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KENNETH D. LANDAU, Assistant Executive Officer

**5 February 2009**